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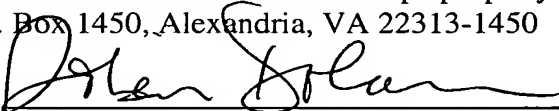
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Argenta, et al.**
Application No.: **10/647,068**
Attorney Docket No.: **0101-P02977US1**
Filed: **August 22, 2003**
For: **BONE TREATMENT EMPLOYING REDUCED PRESSURE**
Examiner: **Pedro Philogene**
Group Art Unit: **3732**

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this Correspondence is being deposited on the date identified below with the United States Postal Service as first-class mail in an envelope properly addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

February 1, 2006
Date of Certificate


Robin Dolan

Commissioner for Patents
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97

In compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56, Applicants are submitting herewith a Form PTO-1449. Because the filing date of this application is after June 30, 2003, only copies of the citations that are not U.S. Patents or U.S. Published Patent Applications are provided.

This Information Disclosure Statement is being filed more than three months after the filing date of this application, and after receipt of the first Official Action on the merits, but before receipt of a Final Official Action or an Notice of Allowance. Accordingly, the fee required under 37 C.F.R. 1.97(c) is enclosed. In the event the enclosed fee is in error, the Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit account no. 04-1406.

Applicants respectfully request full and proper consideration of the listed information during examination of the application, and that the listed information be printed on any patent that issues therefrom.

Respectfully submitted,

DANN, DORFMAN, HERRELL & SKILLMAN
A Professional Corporation
Attorneys for Applicant(s)

By



Niels Haun

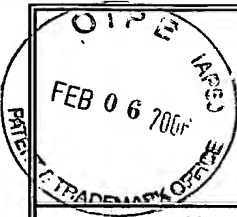
PTO Registration No. 48,488

Telephone: (215) 563-4100

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Enclosures - Form PTO-1449

Copies of Non-US Patent/Pub. App. refs listed on PTO -1449



FEE TRANSMITTAL

Application Number: 10/647,068

Filing Date: August 22, 2003

First Named Inventor: Argenta, et al.

Group Art Unit:3732

Examiner Name: PHILOGENE, PEDRO

Total Amt of Payment (1) + (2) + (3) = \$180

Attorney Docket Number: 0101 P02977US1

METHOD OF PAYMENT (check one)

The Commissioner is hereby authorized to:

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☒ Charge additional fees

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Deposit Account Number 04-1406

Payment enclosed:

Check in the amount of \$180

FEE CALCULATION

1. FILING FEE

Fee Description	Fee
Utility filing fee	
Design filing fee	
Plant filing fee	
Reissue filing fee	

SUBTOTAL (1) \$0

2. Claims Fees

# of Claims - Paid	Extra Claims	Fee/Claim	Fee
Total Claims	- =	25	\$0
Indep Claims		100	\$0
	- =		
Multiple Dependent Claim Fee			

SUBTOTAL (2) \$0


ADDITIONAL FEES

Fee Description	Fee Paid
Surcharge-late filing fee or oath	
Surcharge - late provisional filing fee or cover sheet	
Extension for response within month	
Notice of Appeal	
Filing a brief in support of an appeal	
Request for oral hearing	
Petition to revive unavoidably abandoned application	
Petition to revive unintentionally abandoned application	
Issue Fee	
Petitions to the Commissioner	
Petitions related to provisional applications	
Submission of Information Disclosure Stmt.	180
Recording each patent assignment per property	
Other fee (specify) <u>Advance Order (10 copies)</u>	

SUBTOTAL (3) \$180

Submitted By: Niels Haury Reg. Number 48,488

Signature [Signature] Date February 1, 2006 Deposit Account User ID 04-1406

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Examiner Name: Pedro Philogene		
SHEET 1 OF 5		Attorney Docket Number: 0101-P02977US1

UNITED STATES PATENT DOCUMENTS				
EXAMINER'S INITIALS	CITE NO.	PATENT NUMBER	ISSUE DATE MM-DD-YYYY	FIRST NAMED INVENTOR
		4,841,962	6/27/1989	Berg, et al.
		4,753,231	06/28/1988	Lang, et al.
		4,452,845	06/05/1984	Lloyd, et al.
		4,860,737	08/29/1989	Lang, et al.
		3,938,540	02/17/1976	Holbrook, et al.
		4,459,139	07/10/1984	vonReis, et al.
		3,713,622	01/30/1973	Dinger
		4,627,427	12/09/1986	Arco

FOREIGN PATENT DOCUMENTS					
EXAMINER'S INITIALS	CITE NO.	DOCUMENT NUMBER	COUNTRY OR REGION	DATE OF PUBLICATION MM-DD-YYYY	FIRST NAMED INVENTOR OR APPLICANT
		0688189 B2	EP	06/01/2005	Argenta, et al.

OTHER CITATIONS - NON-PATENT DOCUMENTS		
EXAMINER'S INITIALS	CITE NO.	Include name of the author (in Capital Letters), title of the article (when appropriate), title of the item(book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
		Healing of Full Thickness Defects in Swine
		Opposition EP to 0,620,720, Summons to Oral Proceedings Appeal dated December 21, 2005.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiffs Letter to Honorable Royal Furgeson dated January 3, 2006.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Defendants Letter to Honorable Royal Furgeson dated January 3, 2006.
		Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiffs' Reply Claim Construction Brief with Exhibits dated November 11, 2005.

EXAMINER'S SIGNATURE		DATE CONSIDERED	
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SHEET 2 OF 5

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	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiffs' Surreply Further Opposing Defendant Bluesky Medical Group Incorporated's and Richard Weston's Motions for Summary Judgment on the '643 and '880 Patents with Exhibits dated October 14, 2005.
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Plaintiffs' Opposition to Defendant Bluesky Medical Group Incorporated's and Richard Weston's Motion for Summary Judgment on the '880 Patent with Exhibits dated September 12, 2005.
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Defendant Bluesky and Richard Weston's First Amended Crossclaims and Answer to Plaintiffs' Fourth Amended Complaint, Counterclaims, and Joinder of Wake Forest University dated November 15, 2005.
	Webster, J.G., "Prevention of Pressure Sores", © IOP Publishing Ltd 1991, The Adam Hilger Series on Biomedical Engineering, pp. 199-223.
	Garcia-Velasco, M., et al., "Compression Treatment of Hypertrophic Scars in Burned Children", The Canadian Journal of Surgery, V.21, No. 5, September 1978, pp. 450-452.
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	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Defendants' Response Brief Regarding Second Claim Construction Hearing ('081 Patent and Certain Claims of the '643 Patent) with Exhibits dated October 25, 2005.
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	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Supplemental Expert Report of Wilson C. Hayes, Ph.D. Concerning Infringement of Newly Asserted Claims of U.S. Patent Nos. 5,636,643 and 5,645,081 dated December 19, 2005.

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	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Expert Report of Dennis P. Orgill, M.D., Ph.D. with Exhibits dated December 29, 2005.
	Opposition EP to 0,618,189 Decision to Maintain the European Patent in Amended Form (Article 102(3) EPC) dated April 22, 2005, 1 page.
	Opposition EP to 0,618,189 Letter relating to Appeal Procedure dated March 5, 2004, 10 pages.
	Opposition EP to 0,618,189 Letter relating to Appeal Procedure dated June 27, 2003.
	Opposition EP to 0,618,189 Interlocutory Decision in Opposition Proceedings with Grounds for the Decision dated February 17, 2003.
	Opposition EP to 0,618,189 Minutes of the Oral Proceedings, Documents for the Maintenance of the Patent as Amended, Annex to the Communication dated February 17, 2003.
	Opposition EP to 0,618,189 Letter Pursuant to Rule 71a EPC and all Other Letter during Oral Proceedings dated November 11, 2002.
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	QUEEN, D., et al., "The preclinical evaluation of the Water Vapour Transmission Rate Through Burn Wound Dressings", Biomaterials 1987 Vol. 8, September, pp. 367-371.
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	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Transcript of Videotaped Deposition of Katherine Jeter with Exhibits dated November 29, 2005.
	Kinetic Concepts, Inc., et al., v. Bluesky Medical Corporation, et al., Civil Action No. SA-03-CA-0832-RF, U.S. District Court, W. Dist. of Texas San Antonio Div., Supplemental Expert Report of Mark Chariker, M.D. dated December 19, 2005.
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	LANGWORTHY, M., et al., "Treatment of the Mangled Lower Extremity After a Terrorist Blast Injury", Clinical Orthopaedics and Related Research, Number 422, pp. 88-96.
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	smith&nephew website printout, Wound Management, FAQs.
	"Moist Wound Dressings" from Physicians Instruction Book for Moist Wound Healing.

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